

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA

VS.

WALTER G. HERIN, III,

Supervised Releasee

NO. 3: 92-CR-9 (DF)

RE: SUPERVISED RELEASE VIOLATIONS

ORDER

WALTER G. HERIN, III, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for hearing under provisions of Rule 32.1 of the *Federal Rules of Criminal Procedure*. He previously had an initial appearance/removal hearing in the U. S. District Court for the Northern District of Georgia where he was advised of the allegations set forth against him in a PETITION FOR WARRANT OR SUMMONS FOR OFFENDER UNDER SUPERVISION filed January 28, 2005, and of his right to retain legal counsel or to request appointment of counsel under the Criminal Justice Act, of his right to remain silent, and of his right to a preliminary hearing under Rule 32.1(b)(1). With the assistance of legal counsel, Mr. John Francisco of the Macon Bar, said **SUPERVISED RELEASEE** waived a preliminary hearing and agreed that a *final* hearing could be scheduled before Judge Duross Fitzpatrick under Rule 32.1(b)(2).

Upon consideration of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. Grounds for include allegations that the supervised releasee absconded from supervision shortly after being placed on supervision. Therefore, IT IS ORDERED AND DIRECTED that WALTER G. HERIN, III be **DETAINED** by the United States Marshal until further order of the court.

While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said supervised releasee shall appear before the Honorable Duross Fitzpatrick, district judge, for a FINAL HEARING as directed by Judge Fitzpatrick. The Clerk of Court is directed to forward this order and the within file to Judge Fitzpatrick for the scheduling of said FINAL HEARING.

SO ORDERED AND DIRECTED, this 13th day of DECEMBER, 2005.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE